

REMARKS

This responds to the Office Action mailed on July 25, 2008.

No claims are amended, canceled, or added; as a result, claims 1-3, 6-11, and 14-20 remain pending in this application.

§103 Rejection of the Claims

Claims 1-3, 6-11 and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rauen (U.S. 2004/005408; hereinafter “Rauen”) in view of Huff (U.S. 2002/0194033; hereinafter “Huff”) and further in view of Davis et al. (U.S. 2004/015847; hereinafter “Davis”).

The Office Action admits on page 4, with regard to independent claims 1 and 9, that Rauen and Huff fail to disclose deriving additional data to be stored in the first data storage format based on the inputted data and based on the identify of the user and the storing the additional data in the first database. Davis is provided to show these portions of independent claims 1 and 9. Thus, if Davis fails to provide these portions of the claims, independent claims 1 and 9 are patentable over the 35 U.S.C. § 103(a) rejection.

The Office Action in rejecting independent claims 1 and 9 cites paragraph [0045] of Davis as providing a teaching of:

“deriving additional data to be stored in the first data storage format based on the input data and based on an identity of the user.”

Applicant has reviewed paragraph [0045] of Davis and cannot find such a teaching or suggestion. Instead, Davis describes translation logic that translates existing data, such as text displayed in a users chat window 136, 138 (Davis paragraph [0046]), from a stored language to a user’s preferred language. Although this may require knowing the identity of the user, the translation is performed against data that is either already existing or may be received from a user. There is no deriving of *additional data*. Data translated from one language to another language is still the same data.

Further, Applicant poses the query, in response to the assertion that Davis provides a teaching of the claimed deriving, as to how the asserted translation of Davis from one language to another as provided in paragraph [0045] is not the same as the transforming asserted as being provided in paragraphs [0388] and [0708] of Rauen. In Davis, the translation is from one

spoken/written language to another. In Rauen, the translation is from one “data language” to another, i.e., XML, EDI, and ANSI X12 formats. Applicant believes that the asserted translations of Rauen and Davis are the same, albeit they translate between different languages. This highlights the point that Davis fails to teach the deriving of additional data as claimed. The asserted portions of Davis in paragraph [0045] transforms data from one form to another. The transformed data is still the same data, just in a different form. This is in contrast to the claimed deriving of *additional data*.

Thus, Applicant respectfully submits that independent claims 1 and 9 are patentable over the combination of Rauen, Huff, and Davis at least due to the admitted deficiencies of Rauen and Huff and further due to the failure of Davis to provide a deriving of additional data as claimed.

Claims 2-3 and 6-8 depend, directly or indirectly from patentable independent claim 1 and claims 10-11, and 14-16 depend, directly or indirectly, from patentable independent claim 9. Applicant respectfully submits that dependent claims 2-3, 6-8, 10-11, and 14-16 are patentable at least due their dependency from their respective patentable independent claims 1 and 9.

Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejections and allowance of claims 1-3, 6-11, and 14-16.

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rauen in view of Huff and further in view of Davis as applied to claims 1-3, 6-11 and 14-16 above and further in view of Barr (U.S. 5,182,705; hereinafter “Barr”).

The rejections of claims 17-20 is based on the rejection of claims 1 and 9. Barr is provided to show the additional portions of claims 17-20. However, Barr fails to cure the deficiencies of Rauen, Huff, and Davis discussed above with regard to independent claims 1 and 9. Thus, Applicant respectfully submits that claims 17-20 are patentable for at least the same reasons as independent claims 1 and 9. Withdrawal of 35 U.S.C. § 103(a) rejections and allowance of claims 17-20 are respectfully requested.

CONCLUSION

Applicants respectfully submit that claims 1-3, 6-11, and 14-20 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at 612-373-6938 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
408-278-4059

Date 11/25/2008

By 

James D. Hallenbeck
Reg. No. 63,561

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25th day of November 2008.

Dawn R. Shaw

/Dawn R. Shaw/

Name

Signature